



# City of Carmel

## CARMEL PLAN COMMISSION MAY 17, 2005

### Minutes

The regularly scheduled meeting of the Carmel Plan Commission met at 6:00 PM in the Council Chambers of City Hall, Carmel, Indiana. The meeting opened with the Pledge of Allegiance.

Members present: Jerry Chomanczuk; Leo Dierckman; Dan Dutcher; Wayne Haney; Jerry Heniser; Dianna Knoll; Rick Ripma; Steve Stromquist; and Madeleine Torres, thereby establishing a quorum.

The Department of Community Services was represented by Jon Dobosiewicz; Mike Hollibaugh, Director; and Adrienne Keeling. John Molitor, Legal Counsel was also present.

Jon Dobosiewicz announced that he would be leaving City employment in June—kudos from the Plan Commission to Jon for an outstanding job during his tenure and making the Plan Commission's job easier over the past four years.

Items 2h and 6h have been Tabled for this evening.

- 1g. Docket No. 05050024 CPA: Carmel City Center** – Declaratory Resolution  
Carmel Redevelopment Commission is seeking approval of resolution and economic development plan creating the Carmel Downtown Economic Development Area.  
Filed by Bruce Donaldson of Barnes & Thornburg LLP

Bruce Donaldson, attorney with Barnes & Thornburg, 11 South Meridian Street, Indianapolis, appeared before the Commission representing the applicant. Also in attendance: Les Olds, Carmel Redevelopment Commission, and Bruce Cordingly with Pedcor.

The Declaratory Resolution relates to the area previously designated as the City Center Redevelopment area and a portion that is now being developed by Pedcor. The agreement with Pedcor has been to excise out of the old City Center Redevelopment area and new economic development area that Pedcor will develop. This morning, the Redevelopment Commission took action to remove the new Pedcor area from the old City Center area and adopted a Declaratory Resolution to create the new Economic Development area.

The next step in the process of creating the Economic Development Area is for the Plan Commission to determine that the Pedcor Development and plan conform to the overall plan of Development for the City of Carmel. The Resolution would then move forward to the City Council.

Department Comments: Jon Dobosiewicz reported that the proposal involves a parcel that has been discussed at Committee previously, the City Center Plan at the corner of Range Line Road and City Center Drive. The role of the Plan Commission this evening is to adopt a Resolution that the proposal is in conformance with the Comprehensive Plan.

Dan Dutcher made formal motion to approve the Resolution and Economic Development Plan and confirm that the Plan is consistent with the Ordinance and complies with the Comprehensive Plan for the City of Carmel, seconded by Steve Stromquist, Approved 9-0.

## **H. Public Hearings:**

### **1h. Docket No. 05020020 PP: Overbrooke Farms - Primary Plat**

The applicant seeks to plat a residential subdivision of 111 lots on 84.16 acres± and seeks the following subdivision waiver:

#### **Docket No. 05030020 SW: 06.03.19 (4) - Access to Arterials**

The site is located northwest of 141<sup>st</sup> Street and Shelborne Road and zoned S-1.

Filed by Dave Barnes of Weihe Engineers for WTFOT, LLC.

Mike Walsh, attorney appeared before the Commission representing the applicant. Dave Barnes, Weihe Engineers was also in attendance.

The applicant proposes to plat a subdivision known as Overbrooke Farms, consisting of 111 lots on 84.16 acres, located northwest of 141<sup>st</sup> Street and Shelborne Road. The applicant is also requesting a subdivision waiver for Access to Arterials. The neighborhood comes in from Shelborne Road and wanders to the west and then exits onto 146<sup>th</sup> Street.

The calculation for the Open Space requirement has been completed by Dave Barnes and shows the 111 lots on the 84-acre parcel is properly designed in accordance with the City regulations. The water service will be through the City of Carmel; the sanitary sewer is Clay Township Regional Waste District. The Hamilton County Drainage Board will supervise all of the drainage system within the subdivision. Bear Creek flows from the west to the east. The three retention ponds are all designed to allow the over-flow to go into the creek, take the water to the east, and eventually, naturally drain.

The streets within the neighborhood will be dedicated to the City of Carmel as well as some improvements at the corner of 141<sup>st</sup> Street. There will be some improvements at 146<sup>th</sup> Street, and those improvements will be dedicated to the County. This subdivision is not designed to be a gated community.

There is a tree-line to the south that extends slightly over the Overbrooke property line and to the south, over the neighbor's property line. There have been discussions with the neighbors, and they are concerned regarding the tree line—so is the applicant. The easements have been designed such that they will be away from the tree line. Any work performed to construct a swale east to west will be away from the tree roots and drain into a couple of lines that will take the water into a pond. The

goal is to preserve the value of the trees for individual, new lot owners as well as preserve the trees for the people to the south.

The landscaping plan will comply with the City of Carmel requirements. A tree inventory is in process at this time.

The Subdivision Waiver applies to lot number three (3) in the lower corner. This particular lot to the right of the road is 165 feet back from the centerline of 141<sup>st</sup> Street—the requirement is 200 feet; the applicant is requesting a waiver for the extra 35 feet and allow lot number three (3) to be designed as submitted. To the south of lot 3 is a common area.

There are a few farm structures on this property and they will be totally removed at some point. The materials submitted address the entry features. A brick sign that is similar to the Cheswick Place Subdivision sign was submitted—the signs will be located off the 141<sup>st</sup> Street entrance—the main entrance.

Members of the public were invited to speak at this time.

**Remonstrance/Unfavorable:**

**Tom Chandler**, 3848 West 141<sup>st</sup> Street, concern with approximately 10 new communities in the area and the related traffic, also asked about a neighborhood review committee, more specific landscape plan and tree line—fencing would be appropriate and needed for safety with horses in the area. Mr. Chandler also asked about the potential of hooking up to water and sewer for neighbors in the vicinity.

**Jim Troy**, 4026 West 141<sup>st</sup> Street, also expressed concern with fencing, large livestock and children in the area. Mr. Troy said he has a major erosion problem coming from the land where the proposed development will occur and he wants to make sure the erosion problem will be resolved so that overflow will not intrude further into his land. There was also notice that cited two different numbers for the total lots in the proposed project and that something was going to be put on his property—what and when?

**Nick Armstrong**, 3900 West 141<sup>st</sup> Street had concerns with privacy—apparently that will be met by the preservation of the existing tree line, but would like additional trees—a continuous, secondary tree line on his north property line. Also, the fence would serve a dual purpose of safety and privacy.

**Kevin Troy**, 4100 West 141<sup>st</sup> Street agreed with previous comments and was concerned as to whether or not he would be required to tap into the water and sewer when it becomes available and how he would be affected. Mr. Troy just completed his home and has a new finger system.

**Jon C. Haskell**, 14221 Shelborne Road, wondered if the City of Carmel required any archaeological survey of the property, given the history of early woodlands, Indian sites, etc. in the Bear Creek area.

**Steve Babb**, 14138 Shelborne Rd, said he only found out about the proposed project this week and had not received any notice or mailing. Mr. Babb was concerned with flooding, water runoff, his large animals, and safety.

**Gordon Evans**, 14330 Shelborne Road—borders the new development to the west and south. Currently there is a lot of wooded area between Evans' property and the development—would like a requirement in place that the existing wooded area would be preserved. A number of trees in this area have fallen and taken out the fence along the property line—would like to know whether or not those trees will be removed.

**\*Note: The Public Hearing Will Remain Open at the Committee level.**

**Department Comment, Jon Dobosiewicz.** The City has no requirement for any type of archaeological inventory or evaluation. The sanitary issue—if those neighbors could meet with the petitioner or the Department, outside the public hearing, an appropriate method could be explored to connect into the water system. The residents are not required to connect.

Rebuttal:

Mike Walsh confirmed that there are 111 lots on 84 acres. The reconfiguration changed because more property was acquired.

David Morton, 1018 Henley Circle, Carmel, said he had spoken with some of the neighbors and had gone over a lot of these same topics. The fence line—at the moment, there are no plans within the landscape plan for a fence—the objective is to maintain the trees and it may not be appropriate to have a fence on the property line. The concern with livestock would be a topic of future discussion. Utility connections—water service will be provided by the City of Carmel, probably coming down 141<sup>st</sup> Street and easements will probably be obtained and utilities may be provided to those homeowners at the appropriate time by the City. As far as sanitary sewers, the system has been designed so that a stub at 41<sup>st</sup> Street would be available for the adjoining homeowners to the west for access. Dave Barnes met with Clay Township Regional Waste and a few issues were brought up as far as the long term value of providing sewer to the property—probably coming from the southwest. When available, the property owners would be required to hookup. Overbrooke Farms sewer will be coming in from the northeast along 146<sup>th</sup> Street and Bear Creek down to 141<sup>st</sup> Street. As far as erosion, the plan designed by the engineer ensures that all storm water on the property is retained within the boundaries of the property and that any storm water that is naturally shedding onto Overbrooke currently is accepted. The water will be retained in the system and outflow controlled through Bear Creek, east to west.

Mr. Morton stated that there are no plans to go off-site other than through a utility easement that might provide utilities to neighbors or Overbrooke. Again, the City of Carmel will be providing water along 141<sup>st</sup> Street and the sewer will be coming in from 146<sup>th</sup> Street.

There is an existing plan to augment the tree line on the southwest border/property line. The surveyor's analysis shows a fair number of trees on Overbrooke's south property line. The City of Carmel Urban Forester will determine the viability of these trees via an on-site visit. All of the

healthy trees will be kept, those unworthy will be removed and the viable trees will be augmented. The large stand of trees on the eastern border will be maintained.

John Molitor added that regarding archaeological survey, there is a State law that requires notification of the Department of Natural Resources if artifacts or burial objects are discovered when ground is disturbed.

Department Comments, Jon Dobosiewicz. It is apparent that the petitioner should spend some additional time in refining their landscape plan and that involves two things—meet with the neighbors to address their specific concerns for those areas around the perimeter; meet with the Urban Forester, Scott Brewer to verify that the plan complies with the standards of landscape requirements for buffer and perimeter areas set forth by the City of Carmel. The revised plan can be distributed to the Committee on June 7, 2005.

Secondly, the entry feature design should be submitted to the Department for preliminary review and review at the Committee level.

Commission Members Comments:

Madeleine Torres—Entryway feature on 141<sup>st</sup> Street—duplicated on 146<sup>th</sup> as well?

Dave Barnes responded there would be two, 2X2 columns on 146<sup>th</sup> Street; the primary entrance would be off 141<sup>st</sup> Street with the signage as submitted.

Madeleine Torres commented that the common areas should maybe be used more creatively so that the neighborhood could utilize the area, perhaps a playground, benches, etc.

David Morton said there are two areas where common area amenities are planned on the pond as far as benches, maybe a gazebo, etc. and there will be limited access easements for all of the property owners to enjoy the retention pond as well as a walking path to the wooded area. The common area along the Creek will have access as well.

Jerry Chomanczuk asked if there were any issues with the floodplain regarding the proximity to Bear Creek. If so, has a study been submitted?

Dave Barnes responded in the affirmative. A study has been done on Bear Creek and it was determined that even though the lots back up to the Creek, there will be no building pads or structures in the floodway area and the lots will not be affected.

Rick Ripma encouraged the petitioner to meet with the neighbors prior to the Subdivision Committee meeting in an effort to resolve those open items. Also, the neighbors who spoke regarding the tree should bring a picture to Committee—it would be extremely helpful. Rick also asked for drawings of any monument or structure planned for the entryway on 146<sup>th</sup> Street.

**Docket No. 05020020 PP, Overbrooke Farms** Primary Plat was referred to the Subdivision Committee for further review **on June 7, 2005** at 6:00 PM in the Caucus Rooms of City Hall.

**2h. Docket No. 05020043 DP/ADLS: Barker Law Office**

The applicant seeks to convert a residential lot and structure into a Law Office. The 0.25 acre site is located at 650 North Range Line Road and is zoned B5 (Business). Filed by David J. Barker.

**TABLED**

**3h. Docket No. 05040003 DP/ADLS: Fidelity on Meridian**

The applicant seeks approval to construct a 2 story, multi-tenant office/retail building on 2.36 acres with the following Zoning Waivers:

**Docket No. 05040004 ZW: 23 B.08.03 A (1): Minimum Building Height**

**Docket No. 05040005 ZW: 23 B.08.01 C: Build-to Lines**

The site is located at 11450 N. Meridian Street and is zoned B6/Business and is within the US 31 Corridor.

Filed by John Robinson for JRR Meridian, LLC.

Charlie Frankenberger, 5212 Carrington Circle, Carmel, attorney with Nelson & Frankenberger appeared before the Commission representing the applicant. Also present: John Robinson with JRR Meridian, LLC; Chris McComas, Advocatti, Engineer.

The proposal is for the construction of a two-story, multi-tenant office/retail building at 11450 North Meridian Street. The site consists of 2.36 acres and is the site of the existing Sunrise building within the Fidelity Plaza on the southwest corner of US 31 and 116<sup>th</sup> Street. The existing Sunrise building contains approximately 11,000 square feet and will be replaced by a 29,500 square foot building.

This redevelopment includes ADLS/DP Amend, and different zoning waivers from the Plan Commission and following that, Development Standards variances from the Board of Zoning Appeals.

The zoning waivers include a waiver from the minimum building height requirement, and secondly, a waiver from the minimum “build-to” lines. The Meridian Overlay provides for a building height of 38 feet with three floors. The petitioner is requesting a waiver to permit this two-story building to be 33.4 inches in height. The Overlay Zone also provides for buildings to be built 90-feet back from the right-of-way of US 31. The proposed building is set back 101 feet from the right-of-way.

Members of the public were invited to speak in favor of or opposition to this petition; no one appeared and the public hearing was closed.

**Department Comments, Jon Dobosiewicz.** There are many details the Commission could address regarding the proposed outdoor seating as well as building-mounted lighting fixtures—detail sheets should be provided. Details regarding the screening of roof-top mounted equipment should also be furnished prior to the Committee meeting.

Dan Dutcher asked how this project complies with the landscaping requirement.

Chris McComas, Advocatti, 5140 North Park Avenue, Indianapolis, responded that because this is a redevelopment site, and in order to maximize the real estate, it was not possible to install as much landscaping as needed. At this time, the comments have not been received from the Urban Forester.

Department, Jon Dobosiewicz. Scott Brewer reported that the landscaping addresses his concerns for an appropriate plan—the landscape plan has been reviewed by Scott Brewer. The standards in the 31 Overlay need to be adjusted to accommodate the building location.

Jerry Chomanczuk asked that the specifics of the signage be submitted to Committee.

Madeleine Torres requested that sample boards of materials be brought to the Committee as well as color renderings.

**Docket No. 05040003 DP/ADLS, Fidelity on Meridian** was referred to Special Studies Committee for further review on June 7, 2005 at 6:00 PM in the Caucus Rooms of City Hall.

**4h. Docket No. 05020024 PP: Pine Creek- Primary Plat & Subdivision Waivers**

The applicant seeks to plat a residential subdivision of 4 lots on 10.25 acres±. The applicant also seeks the following subdivision waivers:

<b>05020025 SW :</b>	6.03.20	private streets
<b>05020026 SW:</b>	6.03.07	cul-de-sac length
<b>05020027 SW:</b>	6.03.03	street alignment/stub streets
<b>05050015 SW:</b>	6.03.06	pavement and right of way widths
<b>05050016 SW:</b>	8.09	sidewalks and pedestrian path
<b>05050017 SW:</b>	8.08	curbing
<b>05050018 SW:</b>	6.05.07	orientation of home

The site is located northeast of 116<sup>th</sup> Street and Hoover Road. The site is zoned S1. Filed by Rodney Kelly of Roger Ward Engineering for Bear Lake Trading Co.

Murray Clark, attorney, One Indiana Square, Suite 2200, Indianapolis appeared before the Commission representing the applicant. Also in attendance: Matt Maple, Roger Ward Engineering; Bill Tate, builder, and Ed Fitzgerald, owner of the property.

The application is for a four-lot subdivision at 1616 West 116<sup>th</sup> Street. The property totals approximately 10.25 acres. The applicant met with the Technical Advisory Committee in March and through additional meetings, the plan was amended from 5 lots to 4. Clay Creek traverses the property and there are many large trees on the site that will be preserved along with the character of the property. There are a number of similarities between the Chateau de Moulin and the proposed development. This development will be a gated community with a private street. An access easement will be required to allow access for all four of the lots through the private street.

One of the waivers requested is for a cul-de-sac length and would be required to make the project work as proposed. There is no provision to stub this street to the west and a narrower drive/street is proposed than street specifications would allow—about 24 feet. There is no curbing, sidewalks, and no pedestrian path proposed along 116<sup>th</sup> Street. Finally, a waiver is requested for the orientation of the home at the southern-most of the four lots so that it would not be oriented toward

116<sup>th</sup> Street. The orientation of the home is uncertain at this time, but the developer would like flexibility for the owner in the construction of the home.

The plan allows for a turn-around at the entryway for vehicles that do not gain access to this gated community—much like the subdivision to the east. There is an existing bridge over Clay Creek that will remain; an additional bridge would be built over the Creek at lot three (3) to allow access. The location of the private street is essentially the same as the existing, historical driveway.

Water to the development will be provided by Indianapolis Water; private septic systems are also proposed for all four lots.

Members of the public were invited to speak at this time.

**Remonstrance/Unfavorable:**

**Charles Huseman**, 1411 North Claridge Way, Claridge Farms Subdivision, requested that the petitioner be required to install a multi-use path along 116<sup>th</sup> Street.

The public hearing was then closed.

**Rebuttal:** Murray Clark said that assuming the applicant can obtain the required approvals, he is reluctant to commit to build a path that is not connected on either side. Perhaps this is an issue for the Subdivision Committee. The petitioner would not be opposed to some type of commitment that would allow for installation of the path in an orderly fashion when a path is imminent—the intent is understood.

**Department Comments, Jon Dobosiewicz.** The issue regarding the path on 116<sup>th</sup> Street has been sufficiently addressed. It would be acceptable to have a commitment that would require the installation of the path at the time development would occur on either side of the proposed site—if we waited until both sides were developed, it would be an issue of which comes first with the other owners. An issue outstanding is that a letter has been provided from the Hamilton County Health Department. While it is really a technical issue, this may be something that could be addressed at secondary platting stage—however, it is unusual for the Health Department to draw such a strong concern that would put the Department in the position to offer the information to the Plan Commission. Jon suggested that the petitioner meet with the Health Dept. and get them comfortable with the area proposed for the facility to be installed.

**Commission Questions/Comments:**

Dan Dutcher: Regarding the letter from the Health Dept., in the four years past, Dan had never seen written opposition from the County Health Dept and he was not comfortable in going forward with this Docket in view of the situation as described by the County Health Dept. The petitioner is urged to resolve this situation with the County Health Dept. Dan Dutcher reiterated that he is not a fan of gated communities; however, some limited exceptions have been made for subdivisions of limited size. Using the Chateau de Moulin as a model, the standards applied to the subdivision did incorporate City Standard Streets and a pedestrian path—neither of those features is incorporated into this proposal. A proposal with 7 waivers and the cumulative effect—we need to look very hard at this proposal. This should be discussed in further detail at Committee.



Dan Dutcher also asked that detail be provided on the area surrounding the proposed project—there is no feel for the land immediately to the west and what it looks like—we need some sort of representation for review at Committee. “We need to see the big picture and how adjoining projects inter-relate.”

Rick Ripma asked that detail drawings of the entryway and entry monument be submitted for Committee review. The Committee also needs to see how the gate area lays out. There is opposition for the gates and also the roads—this needs to be discussed in depth.

**Docket No. 05020024 PP, Pine Creek, Primary Plat & Subdivision Waivers** was referred to the **Subdivision Committee** for further review at 6:00 PM on June 7, 2005, in the Caucus Rooms of City Hall.

**5h. Docket No. 05040010 PP: Dulin Woods Primary Plat**

The applicant seeks approval to plat 2 lots on 2.08 acres. The site is located at 4207 E. 131<sup>st</sup> Street and is zoned R1/Residential.

Filed by James Dulin.

Jimmy Dulin, 12020 Eden Glen Drive, Carmel appeared before the Commission representing the applicant. Also present: Rusty Skoog, Falcon Engineering.

The petitioner is requesting approval to plat 2 lots on 2.08 acres located at 4207 East 131<sup>st</sup> Street. The petitioner requested a Suspension of the Rules in order to bring this item to a vote tonight.

Members of the public were invited to speak in favor of or opposition to this petition; no one appeared and the public hearing was closed.

Department Comments, Jon Dobosiewicz. In the absence of concern by the public and comments by the Commission, the Department suggests suspending the rules and final action tonight. The subject site was split into three tracts and was never officially platted for residential development. There was a single house with a carriage house on the property that sat unfinished for a number of years. The petitioner is prepared to make two eligible building lots for future development.

Jerry Chomanczuk asked if soils maps and allied documents had been submitted.

Jimmy Dulin responded that those particular documents had been submitted as well as a tree inventory. Mr. Dulin said he had committed to the installation of a walkway when one adjacent is installed.

In response to questions from Jerry Chomanczuk, Jon Dobosiewicz explained that one driveway cut will service both lots and is preferable to two driveway cuts onto 131<sup>st</sup> Street. The Fire Department requested that access would be provided by a key entry or “toot our horn” system.

Dan Dutcher made formal motion to suspend the Rules of Procedure in order to take action on this item, seconded by Dianna Knoll, Approved 9-0.

Dan Dutcher made formal motion to approve **Docket No. 05040010 PP, Dulin Woods Primary Plat**, seconded by Madeleine Torres, **APPROVED** 9-0.

**6h. Docket No. 05020037 DP/ADLS:**

**Providence at Old Meridian Phase 4 - Townhomes at Providence 2**

The applicant seeks to construct 31 townhomes on 1.6 acres. The site is located at 11559 Old Meridian Street and is zoned OM-MU (Old Meridian - Mixed Use). Filed by Jim Shinaver for Buckingham Companies.

**TABLED**

**7h. Docket No. 05040006 DP/ADLS:**

**Hazel Dell Corners, Lot 3 - Development Plan/ADLS**

The applicant seeks create a single story, 4,000 sq. ft. office/retail building on 1.31 acres. The site is located at NW corner of 131st Street and Hazel Dell Pkwy and is zoned B3/Business.

Filed by Marc Monroe for Plum Creek Partners, LLC.

Mark Monroe, attorney at One Indiana Square, Suite 1800, Indianapolis appeared before the Commission representing the applicant. Corby Thompson, Plum Creek Partners was also in attendance.

The site is located at the northwest corner of 131<sup>st</sup> Street and Hazel Dell Parkway. The petitioner is proposing to construct a 4,000 square foot retail/office building on 1.31. The property surrounding lot 3 to the east is common area for the Plum Creek North HOA as well as single family; to the west is another retail and office building developed by Plum Creek Partners. The site is to be developed in a similar fashion as lot #4.

The site plan shows the building, parking, and an extensive landscape plan that includes approximately 30 trees, 175 shrubs and 200 additional, ornamental grasses. The City Urban Forester has reviewed the landscape plan, and all of his concerns have been addressed.

The site plan also shows the proposed lighting for the site—a shoebox lighting style similar to the other lots. The east building elevation shows the red brick, tan EFIS trim, and a stone cap around the windows and doors. The signage for the site is to be white, internally illuminated, again similar to the signage found on lot #4.

The petitioner appeared at the April Technical Advisory Committee and has addressed all of their concerns. The Department concerns have also been addressed.

Members of the public were invited to speak in favor of or opposition to the petition; no one appeared and the public hearing was closed.

Department Comments, Jon Dobosiewicz. In the absence of public comments and no questions or comments from the Commission, this item is recommended for suspension of the rules and final

action this evening. This building is very similar to the two buildings constructed on lot #4 with the same type of signage, building design, etc. There are no additional concerns.

Leo asked about the south elevation that looked as if there were a pipe in clear view—screening is definitely preferred. Leo also asked about the signage—Mark Monroe said the signage is identical, not just similar, and the equipment will be fully screened from view.

Jerry Chomanczuk commended the petitioner for the amount of landscaping being used.

Dan asked about the pedestrian path—Mark Monroe confirmed that the path is in the plans.

Jerry Chomanczuk asked the Department if there were any issues with outdoor seating—Jon Dobosiewicz responded that tables and chairs were approved with the first building and anything in the current proposal will match and be acceptable to the Department.

Dianna Knoll made formal motion to suspend the Rules of Procedure in order to vote on this item this evening, seconded by Jerry Chomanczuk, Approved 9-0.

Dianna Knoll made formal motion to approve **Docket No. 05040006 DP/ADLS, Hazel Dell Corners, Lot 3 – Development Plan/ADLS**, seconded by Jerry Chomanczuk, **APPROVED** 9-0.

**8h. Docket No. 05040012 PP: Abney Glen**

The applicant seeks approval to plat 42 lots on 38.68 acres with the following Subdivision Waivers:

<b>05040013 SW:</b>	<b>6.05.07</b>	Dwellings facing thoroughfares
<b>05040014 SW:</b>	<b>6.03.07</b>	Cul-de-sacs
<b>05050020 SW:</b>	<b>6.02</b>	Suitability of land

The site is located at 11850 Shelborne Road and is zoned S1/Residential.

Filed by Paul Shoopman for Indiana Land Development Corp.

Charles Frankenberger, 5212 Carrington Circle, Carmel, attorney with Nelson & Frankenberger appeared before the Commission representing the applicant. Also in attendance: Paul Shoopman, Indiana Land Development; Ernie Reno, Avatar Communications; Terry Wright, Engineer; Judd Scott, Arborist, Vine & Branch.

The proposed 42-lot subdivision is located on 38.68 acres located at 11850 Shelborne Road. The proposed Abney Glen is bounded on the north by 121<sup>st</sup> Street and on the east by Shelborne Road. The surrounding residential communities include Candlewood to the north; Longbranch Estates to the south and west; Oak Tree and Saddlebrook at Shelborne to the east; the Lakes at Hamilton Place are farther to the west.

The 42 lots will yield a density of 1.1 units per acre, the total open space required is 5.83 acres that represents 15% --the petitioner is providing 9.72 acres or 25%. Three Subdivision Waivers are being requested. The first waiver pertains to Longbranch Creek that traverses the real estate from east to west and forms the center of the Common Area. The dimensions or scope of the flood plain on the site has not yet been determined or mapped by FEMA. The petitioner is in the process of

working with DNR for purposes of establishing the exact dimensions of the floodway and floodway fringe which together form the flood plain. The petitioner is also working with the County Surveyor and the City Engineer. Once the detailed, specific information is obtained, the petitioner will provide it to the Commission for purposes of evaluation.

The second waiver pertains to the main, internal street for the area south of the Creek and is characterized as a cul-de-sac. The street, including the cul-de-sac is greater than 600 feet in length and a waiver is necessary. Neither the Fire nor the Police Department has expressed any concerns.

The third waiver pertains to lots and the Frontage Place Ordinance. As shown on the plan, lots 1 and 12 through 16 face outward toward 121<sup>st</sup> Street. Lot 13 and 14 are accessed by a driveway off of 121<sup>st</sup> Street; lots 22 through 25 face outward toward the round about that is planned for the intersection of 121<sup>st</sup> Street and Shelborne Road. The waivers are specifically for lots 21, 26, and 30. The residence on lot 21 would face south; the residence on lot 26 would face north; the residence on lot 30 would face south; none would face Shelborne Road. The architectural style and appeal of the homes will be upscale like the other residences in Abney Glen.

The petitioner will dedicate land sufficient to provide a 70-foot one half on Shelborne Road. The petitioner is working with the Department for required roadway improvements and also for payment of substantial roadway improvements either on this site or elsewhere within the City of Carmel. The Thoroughfare Plan for 141<sup>st</sup> Street calls for a 24-foot one-half—as requested, the petitioner is providing a 40-foot one-half. The petitioner will be dedicating land in the northeast corner in order to accommodate the plans for the round about.

Indiana Land Development has been sensitive to tree preservation and a full landscape plan has been filed on this site. The petitioner is in the process of continuing to revise the plan as matters are discussed with the neighbors in Longbranch Estates. The tree preservation plan is also being refined and that plan will be filed with the Department. Judd Scott will be meeting with the City Urban Forester regarding the exact trees to be preserved and the area.

The proposed neighborhood is pedestrian friendly and includes identifiable nodes representing small landscaped parks and open space that encourage social interaction. The homes will be up-scale with estimated prices from \$400,000 upwards to one million dollars.

The petitioner will continue to meet with the neighbors in open dialogue to address their concerns.

Members of the public were invited to speak in favor of the petition; no one appeared. Members of the public were invited to speak in opposition to the petition, the following appeared:

**Remonstrance, Organized/Unfavorable:**

**John Harris**, 3800 Verdure Lane, vice president of Long Branch Estates HOA, requested review of the following: wooded nature, construction of dwellings, visual barrier between developments, trees and natural plantings should be defined as preservation areas under Carmel Ordinance to prevent removal; proposed road on south-central portion of development needs to be shortened to prevent traffic headlights from shining into homes; also evergreen barrier between end of road and property should be reviewed. 2) Review nature of construction on adjacent property—

water/erosion/sedimentation 3) Three street entrances on 116<sup>th</sup> Street are excessive, the street is narrow, and would be a safety hazard—construction equipment would overwhelm roads—there would also be a lot of construction debris. Mr. Harris requested construction traffic be required to enter/exit property on Shelborne—needs to be reviewed and discussed. The time period of development should be reasonable and not disturb existing homeowners. Mr. Harris requested that the City of Carmel enforce City Codes to prevent dust and that public roads be cleared daily regarding dirt. Lastly, there is a core of wetlands that needs to be reviewed in connection with the large pond. Mr. Harris asked that the HOA requests be made into binding and legal agreements, and that the HOA be provided full communication on issues, discussions, and recommendation action.

**Remonstrance, general public/Unfavorable:**

**Tom Pritchett**, 3872 Kings Mill Court, had concern with the number of entrances and exits onto the County Road, particularly onto 121<sup>st</sup> Street with the elementary school in the area—there is a need for safety. There are no walking/biking paths either.

**Mike Ulrich**, 11859 Shelborne Road, pointed out that there are two entrances next to a proposed round about and this is a dangerous situation. The number of ponds is a concern. There is also concern with the buffer between developments; also sidewalks on the outside should be extended along this development.

**Rick Bonar**, 3845 Branch Creek Court, did not understand why the natural pond would be torn out and replaced with 4 additional ponds. Biggest concern is the natural pond being converted into a lot. Secondly, the buffer/common land between developments should be equal to or greater than 35 feet between the developments. Conversations have occurred with Mr. Shoopman regarding the drainage in the Long Branch Estates lots or the common ground with the Creek that runs between the properties. Lots 39 through 42 in the southwest corner have some common ground area, but the common ground does not extend behind all of the lots, so that would help preserve the trees and the distance between the developments. Mr. Bonar also requested that standard construction works hours be specified as 7:00 AM to dusk, Monday through Saturday only (no Sundays.)

**Bob Gordon**, 12101 Shelborne Road, noted concerns on Shelborne Road. There is a hill on Shelborne to the north/south and a blind entrance. Mr. Gordon was interested in a timeline for the construction of the round about.

Leo Dierckman suggested Mr. Harris write a letter to the Commission with a copy to the Director of the Department and describe the issues.

**Note: The Public Hearing Remains Open at the Committee level.**

**Rebuttal:** Charlie Frankenberger said there are areas where significant compromises have been made as a result of two meetings. However, there are certain areas of disagreement. Further comments will be reserved for the Committee meeting.

Department Comments, Jon Dobosiewicz. Comments center around modification that may be necessary due to the mapping of the floodplain, and this has been discussed with the petitioner. The

petitioner will provide additional detail at the Committee meeting. This particular subdivision has common area along the entire perimeter of one side of the creek and it provides access for pedestrians, at least on the north side of the Creek. This particular plan does call for an asphalt path along Shelborne Road as well as 121<sup>st</sup> Street that would connect to the path adjacent to Long Branch on 121<sup>st</sup> Street. Upon improvement by the City of Carmel, that section of Shelborne Road adjacent to their subdivision would include an asphalt path and this development would be required to connect and carry it up to 121<sup>st</sup> Street. The property to the north of this site was developed and approved by the Plan Commission earlier this year. The Department is trying to foster some discussion with the school and the developer to the north for some accommodation of either a crosswalk or completion of this segment that would provide access all the way to the school site.

Dan Dutcher asked that an updated landscape and tree preservation plan be available at the Committee level as well as the abutting property. Dan thought there was some inconsistency regarding lots 32 through 40 and how they are depicted in the informational material.

Regarding the close proximity of the entrance ways to the proposed round about, Jon Dobosiewicz commented that when the intersection is improved, the City would install medians and access would be restricted to right in/right out on those locations along Shelborne.

**Docket No. 05040012 PP, Abney Glen** was referred to Subdivision Committee for further review on June 7, 2005 at 6:00 PM in the Caucus Rooms of City Hall.

**9h. Docket No. 050300019 PP: West Clay Colony**

The applicant seeks to plat 23 lots on 40 acres. The site is located at the NE corner of Hoover Road and W. 116<sup>th</sup> Street and is zoned S1 (Residential).  
Filed by Michael DeBoy.

Mike DeBoy, DeBoy Land Development Services, 501 South 9<sup>th</sup> Street, Suite 100, Noblesville appeared before the Commission representing the James Sourwine family for their property located at the northeast corner of 116<sup>th</sup> Street and Hoover Road.

The property is bounded on the west by Hoover Road, 116<sup>th</sup> Street on the South, approximately one-half mile to the east is Ditch Road, Crooked Stick is also to the south, Coxhall is to the west. The site is approximately 40 acres and there are 23 lots planned. There are also two existing homes on the property—one is vacant, the other is currently occupied by a member of the Sourwine family.

One entrance is proposed where the existing entrance is located, approximately 600 feet east of its intersection with 116<sup>th</sup> Street and Hoover Road. A stub-street is proposed to the north; a cul-de-sac will be positioned on the northwest corner. The reason for the cul-de-sac is that there are pipelines cutting across the northwest quadrant of the property and the development has been designed around the pipelines.

The Technical Advisory Committee reviewed this development and submitted letters. The petitioner will probably return for certain waivers and specific orientation of homes. At this time, the petitioner is requesting additional review and discussion by sub-committee on June 7<sup>th</sup>.

Members of the public were invited to speak in favor of or opposition to the petition; no one appeared and the public hearing was closed.

Department Comments, Jon Dobosiewicz. As the petitioner indicated, he may be back before the Commission with waiver requests at a future date. One item in the Department Report refers to landscaping plans and discussions with the City Urban Forester. The Subdivision is required to have a landscape plan and it needs to meet the buffer yard guidelines in the latest revisions to the Ordinance. The petitioner will need to meet with Scott Brewer and review the landscape plan and verify that those plantings meet the minimum standard provided within the buffer yard table.

Commission Questions/Comments:

Madeleine Torres asked for clarification on water service.

Michael DeBoy responded that at this time, the petitioner is in discussion with Clay Township Regional Waste. Septic is not proposed, but it should be noted that currently, the two homes in existence are on septic system; all lots exceed one acre.

Dan Dutcher asked about the Creek that runs through the property and whether or not there were major drainage issues.

Michael DeBoy said that if at all possible, they did not want to move the pond, since it acts as a nice amenity for the southeast corner lot. There is a waterway that comes across the property, not necessarily a creek, but it is mowed and maintained by the Sourwines at this time—it does catch water from Cox Hall. Storm water would be diverted southerly, along the westerly line of the project down to 116<sup>th</sup> Street. The Sourwine family would prefer to keep the ponds in place for the existing homes. If required, the petitioner will enlarge the ponds from a detention standpoint.

**Docket No. 050300019 PP, West Clay Colony** was referred to Subdivision Committee for further review on June 07, 2005 at 6:00 PM in the Caucus Rooms of City Hall.

**10h. Docket No. 05050010 OA: Vehicle Sign Ordinance Amendment and Corrections**

The applicant seeks to amend the following sections of the Zoning Ordinance:

*Chapter 25.07: Sign Ordinance*, regulation of vehicles functioning as signs

*Chapter 4:* Adding new overlays to list of secondary zones

*Chapter 25.07:* Sign Chart A correction

*Chapter 26:* Correction to Bufferyard table

Filed by the Carmel Department of Community Services.

Adrienne Keeling, City Planner, Department of Community Services, appeared before the Commission representing the applicant. The proposed amendment affects four sections of the Zoning Ordinance. Sign Ordinance, Vehicle Signs, Sign Chart A correction; correction to the Bufferyard Table, and Addition of new overlays to the secondary zones.

Members of the public were invited to speak in favor of or opposition to this petition; no one appeared and the public hearing was closed.

Adrienne Keeling commented that the Department is recommending suspension of the Rules of Procedure in order to bring this item to a vote this evening.

Jerry Chomanczuk made formal motion to suspend the Rules of Procedure, seconded by Rick Ripma, Approved 9-0.

Dan Dutcher made formal motion to **forward Docket No. 05050010 OA, Vehicle Sign Ordinance Amendment and Corrections to the City Council with a favorable recommendation**, seconded by Rick Ripma, **APPROVED** 9-0.

Following a brief recess, the meeting continued with the business at hand.

**I. Old Business:**

**1i. Docket No. 05020033 DP/ADLS:  
Riverview Medical Park, Lot 3 - Fifth Third Bank**

The applicant proposes to construct a financial institution with associated parking and landscaping. The site is located at the southeast corner of 146th St. and Hazel Dell Pkwy. The site is zoned PUD/Planned Unit Development.  
Filed by Traci Preble of GPD Associates.

Traci Preble, GPD Associates, 2547Waterfront Parkway, Indianapolis appeared before the Commission representing the applicant. The revised plan now allows for 4 drive through lanes rather than 5. The roof design matches the other buildings in the development and the parking meets the requirements.

Department Comments, Jon Dobosiewicz. The petitioner has addressed those issues brought up at the public hearing and discussed at Committee. The committee voted unanimously for approval.

Jerry Chomanczuk reported for the Special Study Committee. The access points were reviewed, the drive through requirement was reduced, the design is attractive-looking, and the roof design matches the other buildings in the business park. The committee voted 5-0 for approval.

Jerry Chomanczuk made formal motion to approve **Docket No. 05020033 DP/ADLS, Riverview Medical Park, Lot 3, Fifth Third Bank**, seconded by Wayne Haney, **APPROVED** 9-0.

**2i. Docket No. 05020036 DP/ADLS: Indiana Members' Credit Union**

The applicant seeks Development Plan and ADLS approval to construct a financial institution. The site is located at 4790 E. 96<sup>th</sup> Street and is zoned B3 (Business).  
Filed by E. Davis Coots for Indiana Members Credit Union.

Dave Coots, Coots Henke & Wheeler, 255 East Carmel Drive, Carmel, Indiana appeared before the Commission representing the applicant. The applicant appeared before the Special Study Committee on May 3, 2005 for further and received a favorable recommendation.



The Committee was pleased with the choice of locations for this particular facility and the Committee unanimously recommended approval of the DP/ADLS.

Department Comments, Jon Dobosiewicz. The Department is recommending approval as recommended by the Committee.

Jerry Chomanczuk made formal motion to approve **Docket No. 05020036 DP/ADLS, Indiana Members' Credit Union**, seconded by Wayne Haney **APPROVED** 9-0.

**3i. Docket No. 05020038 Z and 05020039 DP/ADLS:  
Jackson Square Planned Unit Development**

The applicant seeks to rezone 7.3 acres from B6/Business to PUD/Planned Unit Development for the purpose of creating a two story commercial building and 38 townhomes. The site is located at SE corner of 136th Street and Pro Med Lane. Filed by Paul Reis for Justus Home Builders.

Paul Reis, attorney, 8888 Keystone Crossing, Indianapolis appeared before the Commission representing the applicant. Also in attendance: Wally Justus and Walt Justus, Justus Home Builders.

The petitioner appeared before the Special Study Committee May 3<sup>rd</sup> and received further review and discussion. The following topics were considered and discussed as follows.

The petitioner has amended the site plan to provide for four, additional visitor parking spaces. The four spaces were added immediately to the left of the residential area rather than land-banking. The second item discussed were the original commitments for the development of this parcel in 1990 and amended in 1994.

The petitioner confirmed and the Committee accepted that the amount of retail uses in the commercial development area is the exact same limitation—no expansion above—what is allowed in the US 31 Overlay Zone.

There are three access points into the site: one off Smokey Row Road, one off Pro-Med Lane, and one through the gate for emergency vehicles. The gate will be equipped with a knox-box that the Fire Department has approved which will allow access.

There was also discussion where children, if any in the development, would be picked up by a school bus. Mr. Farrand at the School System agreed that the cul-de-sac area will be acceptable for the school buses to pick and discharge children.

The Committee recommended approval of the proposed ADLS and Development Plan and also voted a favorable recommendation to forward the Rezone on to City Council.

Committee Report, Jerry Chomanczuk. The Committee did cover all of the issues and felt that this development was well designed as far as the retail portion. There were some concerns regarding the residential portion, but that was addressed with a commitment. This particular property is in

transition.

Dan Dutcher made formal motion to suspend the Rules of Procedure to officially re-open the public hearing in order to allow public input this evening, seconded by Dianna Knoll, Approved 9-0.

**Remonstrance:**

**Norman John Kerr**, 13595 Kensington Place, builder and managing partner of Kensington Place, said the existing, previous commitments were reviewed, however, Justus Home Builders did not revise any of their plans and placed their interpretation on the recorded documents and chose to ignore them. Ignoring the previous commitments is unacceptable. Completion of an office park for this parcel is consistent with the intent that it would provide for the health, safety, and welfare of the adjacent residential neighborhoods. The attorney for Justus Home Builders indicated that they would be willing to designate the proposed 45-foot buffer area referred to in the PUD Ordinance as a wildlife habitat. The area would be a wildlife habitat at the recorded 50-foot greenbelt area without Justus Homes putting up the sign in the greenbelt area that it is designated for wildlife, i.e. birds, rabbits, and red fox. The trash pickup has not been addressed.

**Virginia Kerr**, 13595 Kensington Place, stated the proposal specifically states a disregard for the previous commitments and 23.B and giving Justus Home Builders a “blank check” to do whatever they please. Kensington Place would love to see a consistency in an office park—there has been a good relationship with the present office development as far as working with them and making compromises—that has not occurred in this instance, although Mr. Justus has pledged that in writing to the Kensington Place homeowners. There must be a serious regard for the Meridian corridor Overlay and this proposal is an adjustment from that. As far as consistency—Kensington Place has 4.75 residences per acre, the proposal has 8.44 residential units per acre. Is a garage considered a parking space? If there is to be consistency, it should be equivalent to Kensington Place. Ms. Kerr did not believe a “gated community” was needed. The residents of Kensington Place oppose the development as presented and ask serious consideration for reviewing the proposal and its disregard for the Meridian corridor Overlay. Also, there is concern that the 50-foot buffer is being disregarded—if the buffer is used for utilities, the trees are gone!

**Public Hearing Closed**

Paul Reis responded that the petitioner is not disregarding the US 31 Overlay Zone. The commercial development area of this PUD is the exact development that can fit within the US 31 Overlay Zone. Clearly, there is no disregard for the Overlay—the office component fits within the US 31 Overlay.

Also, under the Comprehensive Plan, this real estate is a transitional area and the suggestion that this go back to a residential use is consistent with the Comprehensive Plan. When the land was rezoned from residential to business in 1990, the commitment was requested by the Plan Commission in conjunction with the actual rezone, for the 50-foot buffer. The buffer commitment was because A B-6 zone would allow a 4-story building adjacent to the residential area. Residential use adjacent to residential use—the loss of 5 feet is not as critical as if it were going to be another office building. There will be no utility lines going through the 45-foot buffer.

On each end of the residential development is a “hammerhead” and those are designed to meet the trash trucks turning requirement. The parking spaces number two inside the garage and those are counted under the Ordinance, plus two spaces in the drive to accommodate two cars.

Jerry Chomanczuk reported for the Special Study Committee. The vote was 4-1 to recommend approval of this Docket. Jerry Chomanczuk said he had cast the dissenting vote and felt that with the previous written commitments, there could have been a better effort made to preserve five feet of a 50-foot buffer. However, in the context of the entire project, the project is well designed.

Department Comments, Jon Dobosiewicz. Point of Clarification: There are NO utilities proposed within the 45-foot tree preservation area. All utilities, both drainage and otherwise, would exist outside the 45-foot area. The Department has two recommendations. The first recommendation is for the Plan Commission to forward the Docket for the rezone to the City Council with a favorable recommendation. Secondly, the Department recommends approval of the DP/ADLS, ultimately subject to approval of the PUD Ordinance by the City Council. Based upon the revised site diagrams provided by the petitioner this evening, there is no longer a need for other conditions of approvals, only that the revised elevation would be made part of the petition.

Rick Ripma made formal motion to approve **Docket No. 05020039 DP/ADLS**, and to forward **Docket No. 05020038 Z Jackson Square Planned Unit Development** to the City Council with a favorable recommendation, subject to the revisions of the site diagrams and elevations presented this evening for the Development Plan and ADLS being incorporated into the petition and the PUD Ordinance, seconded by Madeleine Torres. The **DP/ADLS Docket No. 05020039 was approved 8 in favor, one opposed** (Dutcher). **Docket No. 05020038 Z was forwarded to the City Council with a favorable recommendations, subject to conditions specified, 8 in favor, one opposed** (Chomanczuk.).

**4i. Docket No. 05020034 DP/ADLS: Carmel Townhomes**

The applicant seeks to create 56 single family attached units on 4.4 acres and seeks the following subdivision waiver:

**Docket No. 05020035 SW: 20G 5.1 (F)(4) - Building Width**

The applicant seeks to reduce the required unit width from 22 feet to 20 feet. The site is located at 1335 W. Main Street and is zoned OM.

Filed by Kenny Windler of Ryland Homes.

Corby Thompson, 11911 Lakeside Drive, Fishers 46038 appeared before the Commission representing Boomerang Development, developer, and Ryland Homes, builder. Also present was Kenny Windler of Ryland Homes.

The project is located at the southeast corner of 131<sup>st</sup> Street and the future Grand Boulevard within the Old Meridian District. The development consists of 55 townhomes, one has been deleted in order to improve the pedestrian access. This type of product will be marketed toward people who appreciate the urban lifestyle and pedestrian access. The project is urban in form and function.

The Committee approved this development 4-0—the main discussion point was the parking. The

through street was widened to the Alexandria apartment to allow for five additional parking spaces on the street. Coupled with the Grand Boulevard street parking will eventually allow 27 parking spaces off site. In addition, there are two spaces for each garage, and two spaces for each driveway.

Rick Ripma reported for the Subdivision Committee. Parking was the biggest issue; however, the petitioner did add six parking spaces on the street. The Committee felt there was sufficient parking and there was no real great place to add any parking.

Department Comments, John Molitor. The Department is recommending approval of the zoning waiver and the DP/ADLS as submitted.

Rick Ripma made formal motion for approval of **Docket No. 05020034 DP/ADLS, and 05020035 SW: 205G 5.1 (F) (4), Building Width, Carmel Townhomes**, seconded by Jerry Chomanczuk, **APPROVED 9-0.**

**5i. Docket No. 05020019 PP: Murphy Hall**

The applicant seeks to plat 82 lots on 55.327 acres and seeks the following subdivision waiver:

**Docket No. 05020022 SW: SCO 6.03.19(4) – Access to Arterials**

The applicant seeks to reduce the 200 foot buffer area be to 40 feet. The site is located at the NW corner of W. 141<sup>st</sup> Street and Towne Road and is zoned S1 Residential – Very Low intensity.

Filed by Jim Shinaver for Estridge Development Co.

Jim Shinaver, attorney with Nelson & Frankenberger appeared before the Commission representing the applicant. The development is at the southwest corner of 141<sup>st</sup> Street and Towne Road. The anticipated price range is between \$375,000 and \$450,000.

The requested waiver relates to approximately 7 lots on the northeastern portion of the site. During discussions at the Subdivision Committee, the applicant revised the initial commitments to include a brick wrap along all elevations of the first floor. In addition to the significant landscaping proposed for this area, one additional shade tree and one ornamental will be added in the rear lot of each yard.

Rick Ripma reported for the Committee. The petitioner did a tremendous job of landscaping, and along with the brick on the main level, the petitioner agreed to brick the chimney chases—unless they are internal. The Committee felt that the 200-foot buffer was really to hide the homes, somewhat, and if there is enough landscaping, 40 feet is better than 200 feet with the volume of landscaping.

Department Comments, Jon Dobosiewicz. The Department is recommending approval of the waiver request and primary plat, subject to revisions made and the Department's files updated with the revised plan that are consistent with the Committee's recommendations.

Jerry Chomanczuk made formal motion to approve **Docket No. 05020019 PP and 05020022 SW, SCO 6.03.19(4) Access to Arterials, Murphy Hall**, subject to revisions noted, seconded by Rick Ripma, **APPROVED 9-0**.

**6i. Docket No. 05020028 PP: Runyon Hall**

The applicant seeks to plat 58 lots on 39.08 acres and seeks the following subdivision waiver:

**Docket No. 05020029 SW: 06.03.19 (4) - Access to Arterials**

The applicant seeks to reduce the 200 foot buffer area adjacent to 146<sup>th</sup> Street to 35 feet. The site is located at 5333 E 146th Street and is zoned S1 Residential.

Filed by Jim Shinaver for Estridge Development Co.

Jim Shinaver, attorney with Nelson & Frankenberger appeared before the Commission representing the applicant. Also in attendance was Ron Barker, Estridge Development Co.

The proposed development consists of 56 residential lots on 39 acres, located south of and adjacent to 146<sup>th</sup> Street and slightly west of Hazel Dell Parkway. Four lots were eliminated from the initial proposal. The anticipated price range of the homes within Runyon Hall is between \$450,000 and \$500,000.

In support of the Subdivision Waiver, the petitioner has agreed that six (6) lots adjacent to 146<sup>th</sup> Street as well as other lots within the Subdivision and adjacent to Woodfield Subdivision would be defined as perimeter lots and would have brick wrap on all elevations and the rear yard of those homes would have one additional shade tree and one ornamental tree in addition to the other landscaping on site.

The drainage issues were discussed regarding the Ashton and Woodfield ponds. The site drainage has been redesigned and will not discharge into the Woodfield pond but instead, will take a route south and east of that location and connect into a drainage pipe within the backyard of an owner who is in the Ashton Subdivision. A letter has now been received from the County Surveyor's office regarding their review of the drainage as it relates to the primary plat stage as well as a letter from the City of Carmel Engineering Department regarding their review of the drainage as it relates to the primary plat stage.

The Department of Engineering letter states that based on their review, at this point, they recommend that the project as it relates to drainage be moved along to the Secondary Plat stage where the drainage will continue to be reviewed in detail. The Engineering Dept. would have jurisdiction to issue final permits regarding the drainage.

The petitioner committed to involved Caesar Turin, president of the Woodfield HOA, as well as Dennis Alt, a representative of the Ashton HOA in the process that relates to secondary plat approval. The petitioner has also been provided with the Post Office Box number of the Ashton HOA. Finally, the petitioner will also include involving Mr. Grossman and Mr. Hannah, since their back yards are affected.

Committee Report, Rick Ripma. The biggest issue on this development was the drainage. However, the Committee voted 4-0 to move it on. The drainage issue was not resolved but rather left open for the entire Commission to complete. Another issue was the 200-foot buffer, but with the landscaping and commitments on brick, the Committee was comfortable with the buffer. There was some concern with the entryway off of 146<sup>th</sup> Street, but all-in-all, felt that this was a pretty good layout. Additional landscaping has been done to protect the homes that would back up to this development and 146<sup>th</sup> Street. The Committee voted unanimously 4-0 to recommend approval.

Department Comments, Jon Dobosiewicz. Letters have been received from both the Engineering Department and the County Surveyor's Office that are favorable to the concerns. Also, at the Committee meeting, no additional members of the public came forth with comments or concerns. At this time, the Department is recommending approval of the primary plat and subdivision waiver.

Madeleine Torres asked if there would be anything in writing from the homeowners whose back yards are going to be affected by the drainage situation.

Jon Dobosiewicz responded that nothing in writing is needed. The drainage issue has been brought to light in this petitioner because of concerns brought up by the adjacent owners. The petitioner has worked closely with the adjoining homeowners to educate them on what action they need to take prior to construction of the subdivision.

Wayne Haney asked if the Committee had discussed making some active areas in the subdivision where social interaction could occur, i.e. benches, gazebo, anything that would encourage people to intermingle—Dan Dutcher concurred.

Ron Baker, Chief Operating Officer of The Estridge Companies, 1041 West Main Street, Carmel stated that benches, chaise, all those types of things, would be installed in a small area where social interaction could occur.

Jerry Chomanczuk expressed concern regarding the reduction in the 200-foot buffer with increased landscaping and fencing.

Jon Dobosiewicz responded that the Department feels that this proposal meets the intent of the Ordinance. It was more an issue of the Plan Commission gaining additional control over the area.

Dan Dutcher made formal motion to approve **Docket No. 05020028 PP and 05020029 SW: 06.03.19 (4) Access to Arterials for Runyon Hall** with the commitment of benches and gazebo-type structure being installed in the Village Green recreation area, seconded by Rick Ripma, **APPROVED 9-0.**

## **J. New Business**

**1j. Docket No. 05050007 ADLS Amend: Horton Fan Systems**

The applicant seeks to install 1 new ground sign and seven flags (1 corporate, 6 countries). The site is located at 201 West Carmel Drive and is zoned I1/Industrial. Filed by Phil Babb.

Tom Nelson, 210 West Carmel Drive, Carmel appeared before the Commission representing the applicant.

Horton Fan Systems purchased Engineering Cooling Systems last November at this same site. There are seven (7) flagpoles on site that represent other countries where Horton Fan System has other sales operations. The seven flagpoles will be located close to the building; the American Flag would be 30 feet, the other country flags would be at 25 feet.

The Horton Fan Systems Corporate Flag would be in an existing landscaping island with two trees.

Department Comments, Jon Dobosiewicz. The Department is recommending approval after all concerns have been addressed. Typically, this would go to Committee on June 7<sup>th</sup>; however, in order to expedite this matter, and if there are no concerns, this could be voted on this evening.

Jerry Chomcanzuk made formal motion to approve **Docket No. 05050007 ADLS Amend, Horton Fan Systems, conditioned upon** the petitioner flying the State of Indiana flag rather than Horton corporate flag on a pole 25 feet tall as well as the 6 national flags; the American flag will be flown on a 30-foot tall pole—all national flags will be handled with all due protocol, seconded by Dan Dutcher, **APPROVED 9-0**

**2j. Docket No. 05050011 ADLS Amend: Tom Wood Nissan**

The applicant seeks to alter the approved scoring pattern on the building façade. The site is located at 4150 E. 96<sup>th</sup> Street and is zoned B3/Business. Filed by Larry Lawhead.

Larry Lawhead, attorney, Barnes & Thornburg, 11 South Meridian Street, Indianapolis appeared before the Commission representing the applicant.

The petition is to amend the original approval to allow for a more diverse scoring of the stucco-finish coating or the pre-cast concrete panels. The requested change only affects the western portion of the south elevation and the west elevation.

There was discussion at full Commission and the Special Study Committee about the scoring of the building. The petitioner wanted more diversity rather than a flat wall with no dimension or contrast.

Department Comments, Jon Dobosiewicz. The Department is recommending approval at this time.

Jerry Chomanczuk made formal motion to approve **Docket No. 0500011 ADLS Amend, Tom Wood Nissan**, seconded by Madeleine Torres, **APPROVED 9-0**.

**NOTE:** John Molitor, Legal Counsel called an Executive Committee at 5:45 PM prior to the June 7<sup>th</sup> Committee meetings in the Caucus Rooms of City Hall, the purpose of which is to further define and clarify when public hearings are closed or left open at the Committee level.

There was no further business to come before the Commission and the meeting adjourned at 9:35 PM.

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Leo Dierckman, President

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Ramona Hancock, Secretary